

ANDREWSEYBOLD

Andrew Seybold, Inc., 315 Meigs Road, A-267, Santa Barbara, CA 93109
805-898-2460 voice, 805-898-2466 fax, www.andrewseybold.com

December 8, 2009

TO: Admin. Barnett Dockets WT 06-150 and PS 06-229

Subject: The Public Safety Community needs your help NOW!

As you know, the most significant issue for the public safety community is the lack of interoperable communications during a major incident. This has been a problem for at least forty years but was brought to the attention of the general public during and after 9/11 and then Katrina. Some progress has been made in solving many of the problems that plague the public safety community, but not enough.

Between now and February 2010, you have the opportunity to make the public safety nationwide wireless broadband network a reality. But time is short and there is much to be done. By way of this letter, I am asking that you treat this issue with the priority it deserves.

In 2008, the 700-MHz D Block that was to be the start of the first public/private partnership for broadband communications, for various reasons, was not successfully auctioned. In late 2009, the FCC floated another proposal for re-auctioning this block of spectrum that called for both nationwide and regional bids, and involved two types of wireless technology. Fortunately, that auction was tabled with the change in administrations.

Since the first D Block auction failure, the public safety community and the private sector have been working toward the common goal of finding a way to make this network a reality both quickly and with the least amount of investment possible. In essence, the public safety community now has a plan in place that if approved by Congress and the FCC will enable this network to move forward rapidly, with a minimum of cost.

The solution will result in a number of private/public partnerships, not mandated by the government, but formed between the public safety community and the private sector on a region-by-region basis. This will enable the network, or more accurately, the series of networks, to be built quickly and efficiently, and will reduce the cost to the public safety community since the private sector will be supplying back-end services for the networks. In rural America, the public/private partnership will also provide access to broadband connectivity for power companies to use as part of the smart grid, for homes and businesses, schools, hospitals, and other organizations, while still ensuring that public safety has priority access to the spectrum.

The public safety community, many of the private sector network operators, rural power, and Telco companies have proposed the following:

- 1) Remove the D Block from the auction pool and assign it to the Public Safety Spectrum Trust (holder of the current public safety license) to provide public safety with 20 MHz of spectrum rather than the 10 MHz now assigned.
 - a. This spectrum will be needed in most urban areas on a full-time basis and will provide the public safety community with better access to information needed in the field. In rural America, it will be used as part of the shared network mentioned above.
 - b. This will require action by Congress to remove the spectrum from the auction pool.
- 2) The FCC then needs to
 - a. Permit those who have filed waivers to start building their pilot and test systems;
 - b. License the D Block to the Public Safety Spectrum Trust (PSST);
 - c. Provide the PSST with the mechanics to allow access to the spectrum by the regions, states, and cities that have committed to build the network in their area;

- d. Charge the PSST with responsibility for the integration of all of these networks into a common nationwide public safety network.

Other things that need to be done during this of time are to find a way to fund the public safety community for the completion of the network. Estimates for this have ranged from \$10 billion to more than \$40 billion. In several hearings, members of Congress have, rightfully, asked about the cost of the network. The response depends primarily on the actions of Congress.

If Congress approves re-allocation of the D Block to the public safety community, and the FCC allows regional network build-out with the assistance of the private sector on a region-by-region, city-by-city basis, the true cost of the competed network would be more toward the low end of the numbers presented above.

It is imperative that public safety have unlimited access to all 20 megahertz of this spectrum in urban areas. The number of applications that will be used across this network will grow over time, but even at the outset, cities such as New York that have experience with existing broadband networks, and those presently using commercial wireless broadband networks are moving a lot of data across the networks and this trend will continue as more of the nationwide system is completed.

I am asking you to consider the following:

- 1) Re-allocate the 700-MHz D Block to the PSST
- 2) Have the FCC authorize the PSST to allow access to the spectrum by regional, state, and city for all 20 MHz of the spectrum
- 3) Have the FCC approve the waivers already on file along with others that will be filed
- 4) Address the issue of funding the network and its operation
 - a. With a specific allocation from the federal government
 - b. By using funding already set aside for rural broadband, educational, and medical services

This is the ideal time to make the public safety nationwide wireless broadband network a reality. The public safety community is in agreement, many within the private sector have agreed to partner with the public safety community, and the spectrum is available. By approving the construction of regional, state, and city networks, the nationwide plan can come together within years and not decades, and with many fewer billions of dollars being spent on the project.

The time to act is now. I hope you will support the public safety community as they give all they have to ensure our safety every day. We need to help them improve their communications systems to be more effective and more efficient.

Respectfully submitted,



Andrew M. Seybold
President and Principal Consultant
Andrew Seybold, Inc.